

REMARKS

In response to the Office Action mailed September 17, 2008, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-21 were previously pending in this application. Claims 1, 10, 19 and 21 are amended herein. Claims 2-6, 11-15 and 20 are canceled. No claims are added. As a result, claims 1, 7-10, 16-19 and 21 are pending for examination, with claims 1, 10, 19 and 21 being independent. No new matter has been added.

Telephone Interview With Examiners

Applicant's representatives thank Examiners Betit and Mahmoudi for the courtesies extended in granting and conducting a telephone interview on December 15, 2008, in which the undersigned and David Gesner participated. The substance of the interview is summarized herein.

Objection To The Specification

The Office Action objects to the specification for purportedly failing to provide proper antecedent basis for the subject matter recited by claim 19. Specifically, the Office Action contends that the specification does not describe what is meant by a "computer readable medium."

During the interview, Applicant's representatives explained that since the term "computer readable medium" appears in claim 19 as originally filed, and that the claims form part of the specification, proper antecedent basis exists for the subject matter of claim 19. Applicant's representatives also explained that "computer readable medium" is a term for which the meaning would be readily apparent to one skilled in the art.

The Examiners expressed an appreciation for these points and explained that their primary concern was that the term could be construed to encompass subject matter which is non-statutory

under 35 U.S.C. §101 (e.g., a carrier wave). Applicant's representatives then suggested that perhaps claim 19 could be amended (e.g., to recite a "tangible computer readable medium"), rather than the specification to deal with the Examiners' concerns. The Examiners stated a preference that the specification be amended to include the language of originally filed claim 19 (e.g., in the "Summary Of The Invention" section).

The specification has been so amended, solely to overcome this objection and without acceding to the propriety of the objection. Specifically, the language of originally filed claim 19 has been reproduced nearly verbatim in the specification (the words "is provided" are added merely to put the claim in sentence form), so that no new matter has been added to the application via this amendment.

In view of the foregoing, Applicant respectfully requests withdrawal of the objection to the specification for purportedly failing to provide antecedent basis for claimed subject matter.

Claim Rejections Under 35 U.S.C. §112

Claim 21 is rejected under 35 U.S.C. §112, second paragraph, for purportedly being indefinite. Specifically, the Office Action contends that the preamble recites both a "system" and "method", such that the subject matter to which claim 21 is directed is purportedly unclear.

Claim 21 is amended herein to remove the reference to a method. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 21 under 35 U.S.C. §112, second paragraph.

Claim Rejections Under 35 U.S.C. §101

Claim 21 is rejected under 35 U.S.C. §101 for purportedly being directed to non-statutory subject matter. Specifically, the Office Action contends that the system of claim 21 may be implemented solely via software, which the Office Action contends is non-statutory.

Claim 21 is amended herein to recite a system comprising, *inter alia*, at least one processor programmed to implement means for performing various functions. As a system comprising at least one processor is clearly statutory subject matter under §101, Applicant respectfully requests withdrawal of the rejection of claim 21 under 35 U.S.C. §101.

Claim Rejections Under 35 U.S.C. §102

Independent claims 1, 10, 19 and 21 are rejected under 35 U.S.C. §102(b) as purportedly being anticipated by U.S. Patent No. 5,815,657 to Williams et al. ("Williams"). Each of claims 1, 10, 19 and 21 is amended herein, and patentably distinguishes over Williams.

A. Brief Overview Of Embodiments Of The Invention

During the telephone interview, Applicant's representatives provided an overview of one embodiment of the invention, which provides a system for managing digital vital records (e.g., domain name records). The system includes a series of profiles used to manage "critical elements" of (i.e., various information relating to) the digital vital records (see Applicant's specification at, e.g., p. 6, lines 2-4). The critical elements of a domain name record may include, for example, registrant information (e.g., the name and address of a company), contact information (e.g., the name, physical address and/or email address of an administrative, billing, legal and/or technical contact), and/or domain name server information (e.g., the server(s) corresponding to the domain name through which traffic is routed) (p. 7, line 20 – p. 8, line 7).

In some embodiments, a profile is created for each critical element and specifies information that implements an organization's policies and procedures with respect to the management of the record (p. 8, lines 9-11). For example, a profile for the "contact information" critical element for a domain name record may specify a name, physical address, and/or email address of one or more people in the organization designated as contacts for the domain name record (p. 8, lines 11-15). As such, embodiments of the invention may reduce the risk that an erroneous contact will be assigned for a record, and that as a result, information may be sent from a domain name registrar to a person

who has left the organization (p. 8, lines 16-20), as a result of which the correspondence may not reach the person authorized to take appropriate action.

The foregoing summary is provided to assist the Examiner in appreciating aspects of the invention. However, this summary does not necessarily apply to each of the independent claims, and the language of the independent claims may differ in material respects from the examples described in the summary. Thus, the Examiner is respectfully requested to give careful consideration to the language of each independent claim and to address each on its own merit's, without relying on the summary provided above. In this respect, Applicant does not rely upon the summary above to distinguish any of the claims of the present invention over the prior art, but rather relies only upon the claim language and the arguments provided below.

B. Independent Claims 1, 10, 19 and 21

Each of independent claims 1, 10, 19 and 21 is amended herein, and includes limitations directed to receiving a request to modify a first domain name record of a plurality of domain name records. The plurality of domain name records each comprise critical elements, comprising registrant information, domain name server information and/or contact information. One or more profiles is presented for at least one of the critical elements for the first domain name record. A selection of one of the one or more profiles is received. Based on the selection, a modification is performed on each of the plurality of domain name records.

Williams fails to satisfy the totality of limitations recited by any of independent claims 1, 9, 10 and 19. For example, Williams fails to disclose or suggest receiving a request to modify a first of a plurality of domain name records which each comprise critical elements, receiving a selection of a profile for at least one of the critical elements for the first domain name record, and performing a modification based on the selection on each of the plurality of domain name records.

Instead, Williams discloses an electronic monetary system which emulates a wallet or purse customarily used for keeping money, credit cards and other forms of payment organized (Abstract). Access to instruments in the wallet or purse is restricted by a password to avoid unauthorized

payments (Abstract). When access is authorized, a graphical representation of the payment instruments in the wallet or purse is presented to enable a user to select a payment instrument for use in a transaction (Abstract). Once an instrument is chosen, the user may enter an approval for the transaction or cancel it (Abstract). In a passage cited by the Office Action, Williams discloses a process whereby the user interacts with the graphical representation to authorize and/or cancel payment (col. 19, lines 29-40). In another cited portion, Williams discloses steps in the process of FIG. 6 (i.e., reference characters 634 and 640) through which a user authorizes payment. Williams also discloses administrative tasks which the user may perform with respect to an electronic wallet or purse (col. 20, lines 20-40).

Williams simply says nothing at all relating to domain name records, let alone to performing a modification on a plurality of domain name records based on a selection of a profile for a critical element for a first of the plurality of domain name records. Williams also fails to disclose or suggest critical elements which comprise registrant information, domain name server information or contact information.

Accordingly, each of amended claims 1, 10, 19 and 21 patentably distinguishes over Williams, such that the rejection of these claims, and of the claims that depend respectively therefrom, under 35 U.S.C. §102(b) as purportedly being anticipated by Williams should be withdrawn.

U.S. Patent No. 7,305,394

During the interview, Examiner Mahmoudi suggested that Applicant's representatives review U.S. Patent No. 7,305,394 ("the '394 patent"), which the Examiner indicated may disclose relevant subject matter. Applicant's representatives have reviewed the '394 patent and believe that each of claims 1, 10, 19 and 21 patentably distinguish over the '394 patent.


CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. 10346.70000US01.

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Respectfully submitted,

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